

REMARKS

Reconsideration of the application is respectfully requested.

Claims 1-29 are in the application.

In the Official Action, the Examiner rejected claims 1-29 under 35 U.S.C. §102(b) as being allegedly anticipated by Giambattista et al. (EP 0937476). In particular, the Examiner asserted “Giambattista et al. discloses a reset ring (Figure 3) that has an annular rim, protruding spline, and stop formed within a keyway (Figure 1).”

The Examiner’s assertions are respectfully traversed.

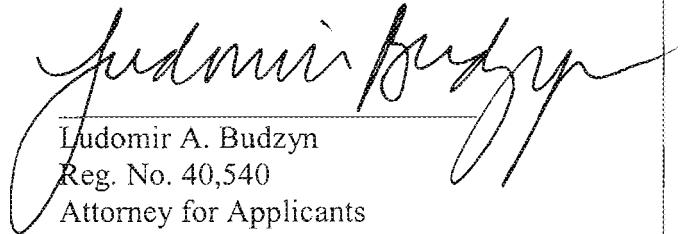
Giambattista et al. is directed to a medication delivery pen which includes a driver 8, best shown in Fig. 2. Fig. 3, a figure relied upon by the Examiner, shows a distal end of the driver 8. (See, Col. 3, ll. 45-46). The driver 8 is unitarily formed. Also, the driver 8 includes internal threads 85 formed to threadedly engage threads 93 of lead screw 9. (Col. 4, ll. 30-32). Figs. 9 and 10 show the lead screw 9 being in threaded engagement with the driver 8. A reset ring 6, best shown in Fig. 5, is disposed on the outside of the driver 8. (Col. 5, ll. 10-12). The reset ring includes a plurality of keys 63 for sliding along keyways 86 (Fig. 1) formed in the driver 8. (Col. 5, ll. 10-12).

Claims 1, 10 and 20 are the only independent claims of the subject application. Each independent claim is directed to an article which includes a “lead screw”; “a driver coaxially disposed about said lead screw”; and “a reset ring non-rotatably disposed on said driver and axially slidably thereon and therealong.” In addition, each independent claim states that “said reset ring being axially movable with respect to said driver and said lead screw when a dosage amount is set” and that “said reset ring includes at least one protrusion which engages said enlarged portion of said lead screw upon a predetermined extent of relative axial movement between said reset ring and said lead screw.” In contrast, Giambattista et al. does not provide the claimed structure. The driver 8 asserted by the Examiner to correspond to the claimed reset ring does not meet all of the claim limitations. In particular, the independent claims require a driver to be disposed about the lead screw, and in turn, a reset ring to be disposed on the driver. With Giambattista et al. the driver 8 is disposed on the lead screw 9 with no additional structure therebetween. Furthermore, the distal end of the driver 8 shown in Fig. 3 is unitarily formed with the driver and, thus, there can be no relative movement therebetween. In contradistinction, the independent claims require that “said reset ring being axially moveable with respect to said driver and said lead screw”. In view of the claim limitations, only the reset ring 6 in Giambattista et al. can be considered the structural equivalent to the claimed reset ring. However, the reset ring 6 in Giambattista et al. does not include “at least one protrusion which engages said enlarged portion of said lead screw” as set forth in the claims. It is respectfully submitted that claims 1-29 are patentable over Giambattista et al.

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Favorable action is earnestly solicited. If there are any questions or if additional information is required, the Examiner is respectfully requested to contact Applicants' attorney at the number listed below.

Respectfully submitted,


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